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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
10/757,583	01/14/2004	John Christopher Deak	8483MC	8483MC 4518	
27752	7590 09/14/2004		EXAM	EXAMINER	
	FER & GAMBLE COM UAL PROPERTY DIVISION	BOYER, CHARLES I			
WINTON HII	LL TECHNICAL CENTER	ART UNIT	PAPER NUMBER		
	R HILL AVENUE I, OH 45224		1751		
			DATE MAILED: 09/14/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

/ <u></u>							
		Application	on No.	Applicant(s)			
		10/757,58	33	DEAK ET AL.			
Οπιсе	Action Summary	Examiner		Art Unit			
		Charles I.	•	1751			
The MAIL. Period for Reply	ING DATE of this communication	n appears on the	cover sheet with the c	orrespondence addregs			
A SHORTENED THE MAILING D - Extensions of time m after SIX (6) MONTH - If the period for reply - If NO period for reply - Failure to reply within Any reply received by	STATUTORY PERIOD FOR F ATE OF THIS COMMUNICAT ay be available under the provisions of 37 C S from the mailing date of this communicati specified above is less than thirty (30) days is specified above, the maximum statutory the set or extended period for reply will, by the Office later than three months after the djustment. See 37 CFR 1.704(b).	ION. FR 1.136(a). In no events on. , a reply within the state period will apply and wi statute, cause the apple	ent, however, may a reply be tim utory minimum of thirty (30) days Il expire SIX (6) MONTHS from ication to become ABANDONEI	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).			
Status							
1)⊠ Responsiv	e to communication(s) filed on	14 January 200	<u>4</u> .				
2a)☐ This action	This action is <b>FINAL</b> . 2b)⊠ This action is non-final.						
•	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Clair	ns						
4a) Of the a 5) ☐ Claim(s) _ 6) ☑ Claim(s) 1. 7) ☐ Claim(s) _	20 is/are pending in the applications above claim(s) is/are with is/are allowed. 20 is/are rejected. 3 is/are objected to. 4 are subject to restriction a	thdrawn from col					
Application Papers							
9)☐ The specific	cation is objected to by the Exa	aminer.					
, <del></del>	☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.						
• •	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
•	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.	S.C. § 119						
a) All b) Certi 2. Certi 3. Copi appli	gment is made of a claim for fo Some * c) None of: fied copies of the priority docu- fied copies of the priority docu- es of the certified copies of the cation from the International B ched detailed Office action for	ments have bee ments have bee priority docume ureau (PCT Rule	n received. n received in Application ents have been receive e 17.2(a)).	on No ed in this National Stage			
Attachment(s)	o'led (DTO 200)		A	(DTO 442)			
1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  4) Interview Summary (PTO-413)  — Paper No(s)/Mail-Date							
	ure Statement(s) (PTO-1449 or PTO/S			atent Application (PTO-152)			

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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 1. Claims 1, 2, 4-9, 13, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Durr et al, US 3,692,467.

Durr et al teach textile treating processes containing water and solvent (see abstract). Water, dye, an emulsifier, and perchloroethylene are added to a washing machine (step a), after rinsing, the mixture is drained and the fabrics are spun (step b), and the solvent and water are separated via vaporizing the emulsion, condensing the emulsion, then a separating means which includes a coalescer containing charcoal or fiberglass fibers as a coalescer material (steps c, d, and e) (col. 4, example and claim 1).

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Claims 1, 2, 4-16, and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Berndt et al, US 6,063,135.

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Berndt et al teach a method for dry cleaning articles (see abstract). An example of such a process contacts an article with a composition comprising decamethylcyclopentasiloxane solvent, detergents, and stabilizers. During the cleaning process, the composition is continuously recycled by removing the solvent and passing it through a filter containing carbon or diatomaceous earth. After cleaning, the solvent is removed by centrifugation and heating, any resulting vapor is condensed for reuse. The used solvent is purified by vacuum distillation, resulting in pure water and pure solvent which is ready for reuse (col. 8, steps 1-7). As this reference meets all material limitations of the claims at hand, the reference is anticipatory. The examiner acknowledges that water is not specifically added as a component of the dry cleaning composition. However, as the detergent is added to remove water soluble soils (col. 3, lines 29-30), the examiner maintains the detergents and other additives are aqueous based. This position is strengthened by the fact that the products resulting from the distillation process are pure water and solvent (col. 9, lines 46-51).

1. Claims 1, 2, 4-7, 9-13, and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Murphy, US 6,313,079.

Murphy teaches a heterocyclic dry cleaning surfactant and method for using (see abstract). The dry cleaning compositions contain carbon dioxide gas, water and cyclic siloxane (col. 7, claims 1, 3, and 8). An example of such a composition comprises a quaternary ammonium softener, octamethylcyclopentasiloxane solvent, and water (col. 8, example IV). These dry cleaning compositions are used in standard dry cleaning

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machines wherein the solvent is passed continuously through a filter, then vaporized, condensed, and sent to a water separator (col. 4, lines 56-67 and Hagiwara et al, US 4,712,392, col. 1, lines 22-68). It would appear that a standard dry cleaning apparatus will incorporate all of the process steps presently claimed. As this reference meets all material limitations of the claims at hand, the reference is anticipatory.

## Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kilgour et al, US 6,310,029 in view of Hagiwara et al, US 4,712,392.

Kilgour et al teach a siloxane-based dry cleaning composition (see abstract). An example of such a process contacts at least a portion of an article with a composition comprising decamethylcyclopentasiloxane solvent, water, and additional siloxane solvent and removing the solvent by blotting or centrifugation (col. 7, example 63 and col. 10, claims 1-10). Kilgour et al do not teach the specific process steps of the present claims, however, as the compositions of the invention are used in a standard dry cleaning apparatus, and such apparatuses are well known in the art as containing a filter, vaporizer, condenser, and water separator (col. 1, lines 22-68 of Hagiwara et al), the examiner maintains the claim limitations are satisfied.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles I. Boyer whose telephone number is 571 272 1311. The examiner can normally be reached on M-F 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571 272 1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles I Boyer Primary Examiner Art Unit 1751